



Service of Process Transmittal Summary

TO: Lea Matic
P.F. CHANG'S CHINA BISTRO, INC.
8377 E HARTFORD DR STE 200
SCOTTSDALE, AZ 85255-5687

RE: Process Served in Texas

FOR: P.F. CHANG'S CHINA BISTRO, INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: BANAN QASIM // To: P.F. CHANG'S CHINA BISTRO, INC.

CASE #: 202244496

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition

PROCESS SERVED ON: National Registered Agents, Inc., Dallas, TX

DATE/METHOD OF SERVICE: By Process Server on 07/27/2022 at 10:56

JURISDICTION SERVED: Texas

ACTION ITEMS: SOP Papers with Transmittal, via UPS Next Day Air
Image SOP
Email Notification, Libby Pitre Libby.Pitre@pfc.com
Email Notification, Lea Matic lea.matic@pfc.com
Email Notification, Emily Sexton emily.sexton@pfc.com

REGISTERED AGENT CONTACT: National Registered Agents, Inc.
1999 Bryan Street
Suite 900
Dallas, TX 75201
866-539-8692
CorporationTeam@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

PROCESS SERVER DELIVERY DETAILS

Date: Wed, Jul 27, 2022
Server Name: Kenneth Frechette

Entity Served	P.F. CHANG'S CHINA BISTRO, INC.
Case Number	2022-44496
Jurisdiction	TX

Inserts		



Receipt Number: 957590
Tracking Number: 74030538

COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 2022-44496

PLAINTIFF: QASIM, BANAN	In the 234th Judicial
vs.	District Court of
DEFENDANT: P F CHANG'S CHINA BISTRO INC	Harris County, Texas

CITATION

THE STATE OF TEXAS
County of Harris

TO: P F CHANG'S CHINA BISTRO INC (FOR-PROFIT FOREIGN CORPORATION) MAY BE SERVED
THROUGH ITS REGISTERED AGENT NATIONAL REGISTERED AGENTS INC
1999 BRYAN ST SUITE 900
DALLAS T X75201
OR WHEREVER ELSE SUCH REGISTERED AGENT MAY BE FOUND

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on July 25, 2022, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this July 26, 2022.



Marilyn Burgess

Marilyn Burgess, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002

Generated By: MARCELLA SINGLETON

Issued at request of:
KIESCHNICK, JONATHAN CHRISTOPHER
17225 EL CAMINO REAL #110
HOUSTON, TX 77058
281-538-9200
Bar Number: 00796883

Tracking Number: 74030538

CAUSE NUMBER: 2022-44496

PLAINTIFF: QASIM, BANAN

vs.

DEFENDANT: P F CHANG'S CHINA BISTRO INC

In the 234th

Judicial District Court

of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock _____. M., on the _____ day of _____, 20____.

Executed at (address) _____
in _____ County
at _____ o'clock _____. M., on the _____ day of _____, 20____,

by delivering to _____ defendant,
in person, a true copy of this
Citation together with the accompanying _____ copy(ies) of the
_____ Petition
attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____, 20____.

FEE: \$ _____

_____ of _____

County, Texas

Affiant

By: _____
Deputy

On this day, _____, known to me to be
the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn,
he/she stated that this citation was executed by him/her in the exact manner recited
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this _____ of _____, 20____

Notary Public

2022-44496 / Court: 234

CAUSE NO. _____

BANAN QASIM	§	IN THE DISTRICT COURT OF
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
P.F. CHANG'S CHINA BISTRO, INC. and	§	
P.F.C.C.B. TEXAS, INC.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Plaintiff, BANAN QASIM, to file this Original Petition complaining of P.F. CHANG'S CHINA BISTRO, INC. and P.F.C.C.B. TEXAS, INC. ("Defendants"), and for cause of action would respectfully show:

I.

Plaintiff intends to conduct discovery under Level II, pursuant to 190.3 of the TEXAS RULES OF CIVIL PROCEDURE.

II.

Plaintiff, BANAN QASIM, is a resident of Harris County, Texas. The last three digits of Plaintiff's Texas driver's license are 014 and the last three digits of Plaintiff's social security number are 016.

Defendant, P.F. CHANG'S CHINA BISTRO, INC., is a for-profit foreign corporation that transacts business in the State of Texas; service upon this Defendant may be obtained by serving its registered agent: National Registered Agents, Inc., 1999 Bryan St., Suite 900, Dallas, Texas 75201-3136 or wherever else such registered agent may be found.

Plaintiff's Original Petition

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Defendant, P.F.C.C.B. TEXAS, INC., is a for-profit Texas corporation that transacts business in the State of Texas; service upon this Defendant may be obtained by serving its registered agent: Dewey A. Brackin, 511 W. 7th Street, Austin, Texas 78701 or wherever else such registered agent may be found.

III.

Damages sought are within the jurisdictional limits of this Court. Plaintiff seeks monetary relief of over \$250,000.00 but less than \$1,000,000.00.

This Court has jurisdiction and venue is proper in Harris County, Texas, pursuant to Tex. Civ. Prac. & Rem. Code §15.002(a)(1) in that all or a substantial part of the events or omissions giving rise to the claim occurred in Harris County, Texas.

IV.

On or about November 14, 2020, Plaintiff was an invitee at the P.F. Chang's China Bistro restaurant located at 5251 Westheimer Road in Houston, Harris County, Texas. This facility was owned, operated, managed and/or maintained by Defendants. On the occasion in question, Plaintiff slipped and fell on a wet floor that posed an unreasonable risk of harm to Plaintiff and others. Defendants had actual knowledge of the danger, but Plaintiff had no knowledge of the condition before the fall. Defendants failed to exercise ordinary care by failing to make the premises reasonably safe and by failing to adequately warn Plaintiff of the condition. As a result of the incident and Defendants' breach of duty, Plaintiff sustained serious personal injuries as described herein.

V.

Plaintiff would show that the incident in question and his resulting injuries and damages

Plaintiff's Original Petition

were brought about and caused due to the negligence and carelessness of the Defendants through their own actions and/or the actions/omissions of one or more of their agents, servants and/or employees, in some or more of the following ways, to-wit:

1. In failing to maintain the premises in question in a reasonably safe condition and free of hazards to Plaintiff and other invitees entering the premises;
2. In failing to correct the unreasonably dangerous condition which was created by the condition and location of the improperly maintained floor in question;
3. In failing to adequately warn invitees, including the Plaintiff, of the condition of the floor;
4. In failing to properly inspect the premises in question to discover the unreasonably dangerous condition at issue;
5. In failing to properly train its agents, servants, and/or employees regarding the proper manner in which to make the premises reasonably safe;
6. In failing to implement proper policies, rules, and/or procedures to make its premises reasonably safe; and
7. The condition and location of the greasy floor posed an unreasonable risk of harm to invitees of the Defendants of which Defendants knew, or reasonably should have known.

The above acts or omissions by the Defendants, singularly or collectively, constituted negligence and proximately caused Plaintiff's injuries and damages.

VI.

As a direct and proximate result of the aforementioned acts and omissions of negligence by the Defendants, Plaintiff sustained the following damages for which he is legally entitled to recover:

1. Necessary and reasonable medical expenses, past and future;
2. Physical pain and mental anguish, past and future;
3. Physical impairment, past and future;
4. Disfigurement, past and future;
5. Loss of earning capacity, past and future; and
6. Pre-judgment interest and costs of Court.

If it is found that Plaintiff was suffering from any predispositions, conditions or bodily infirmities prior to the date of the incident, Plaintiff would show unto the Court and jury that the

Plaintiff's Original Petition

same was neither disabling nor painful, but that as a result of the injuries suffered by Plaintiff on such occasion, and the effects thereof, the same had been incited, accelerated, and aggravated to such an extent that they have now become painful and disabling as described herein.

VII.

Please take notice that, pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, for purposes of self-authentication, any and all documents produced by Defendants to Plaintiff in response to written discovery will be used against Defendants at any pretrial proceeding or at trial.

VIII.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein; that upon trial hereof Plaintiff have judgment of the Court against such Defendants in a total amount of money substantially in excess of the minimum jurisdictional limit of this Court, together with prejudgment and post-judgment interest as provided by applicable laws; for all costs of court; and for all such other and further relief, both general and special, legal and equitable, to which Plaintiff may show himself justly entitled.

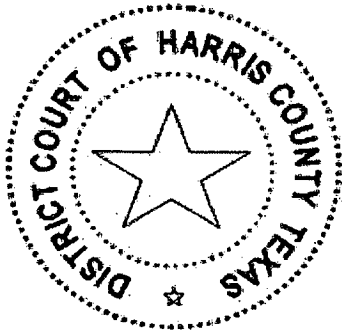
Respectfully submitted,

/s/ Jonathan C. Kieschnick

Jonathan C. Kieschnick
Texas Bar No. 00796883
17225 El Camino Real, Suite 110
Houston, Texas 77058
(281) 538-9200 Telephone
(281) 538-9229 Facsimile
jck@jck-law.com

**ATTORNEY FOR PLAINTIFF
BANAN QASIM**

Plaintiff's Original Petition



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this July 26, 2022

Certified Document Number: 103153970 Total Pages: 4

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com